

REMARKS

By the forgoing amendment, the obvious misspellings in claims 24, 33 and 38, pointed out by the Examiner, have been corrected. In addition "urethane β -methyl" in claim 21 has been corrected to "urethane β -methyl acrylate" and the term "obtainable" in claim 25 has been changed to "obtained". The initiator in both claims 36 and 39 is optional.

Accordingly, the foregoing amendments do not raise the issue of new matter, nor new issues, and thus entry is proper.

Reconsideration of the previous rejection of claims 21, 25, 36 and 39 under 35 U.S.C. 112 second paragraph, allegedly as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention, is deemed moot in view of the forgoing amendments.

Similarly, the obvious misspellings in claims 24, 33 and 38, as noted in the claim objection, have been corrected and thus the objection, is also deemed moot.

Applicants appreciate the indication of allowable subject matter in claims 22, 25, 32, 33 and 35 which are not taught by the cited Martin et al. reference.

Applicants respectfully request reconsideration of the rejection of claims 21, 23, 24, 26-31, 34 and 36-39 under 35 U.S.C. 103 (a) as being unpatentable over Martin et al. (U.S. Patent 7,094,826 or WO 02/32982).

Martin et al disclose an aqueous composition comprising a crosslinkable hyperbranched macromolecule and a dispersed polymer, e.g. a latex or a polyurethane dispersion. Both the crosslinkable hyperbranched macromolecule and the dispersed polymer are themselves dispersible in water. The crosslinkable hyperbranched macromolecule is added in order to improve the drying properties of the aqueous composition, like prolonged open time and wet-edge time. (This aqueous composition can be regarded as a mixture of two amphiphilic polymers).

On the other hand, the waterborne composition of the present invention comprises an amphiphilic dendritic polymer and a non-amphiphilic radiation curable oligomer or polymer. Unlike the dispersed polymer of Martin et al, the claimed non-amphiphilic radiation curable oligomers/polymers is **not dispersible** in water. The amphiphilic dendritic polymer acts as a dispersing agent for the non-amphiphilic radiation curable oligomers or polymers, typically used in conventional solvent-borne systems. Thus, the purpose of the crosslinkable hyperbranched macromolecule disclosed by Martin et al and amphiphilic dendritic polymer of the claimed invention are completely different.

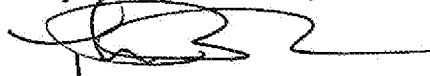
By adding an amphiphilic dendritic polymer to a dispersed polymer in order to improve the drying characteristics of the aqueous composition, Martin et al did not provide any teaching to add an amphiphilic dendritic polymer to a non-amphiphilic radiation curable oligomer or polymer in order to make it dispersible. It would not have been obvious from a disclosure on mixing of two amphiphilic resins (to obtain an aqueous dispersion as in Martin et al) to mix an amphiphilic and a non-amphiphilic resin to obtain an aqueous dispersion comprising said non-amphiphilic resin.

In view of the foregoing applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. 103 (a) and passage of the application to issue.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 14-1437, under Order No. 8722.010.US0000.

Date: October 8, 2009

Respectfully submitted,



Thomas P. Pavelko
Registration No. 31,689
NOVAK DRUCE & QUIGG LLP
1300 Eye Street, NW
1000 West Tower
Washington, DC 20005
Telephone: (202) 659-0100
Facsimile: (202) 659-0105